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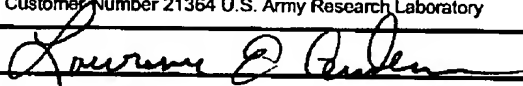
PTO/SB/21 (01-08)

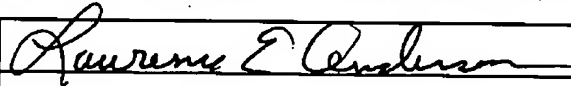
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/628,424
	Filing Date	July 29, 2003
	First Named Inventor	Jeffrey A. Read
	Art Unit	1795
	Examiner Name	Rhee, Jane J.
Total Number of Pages in This Submission	Attorney Docket Number	ARL 01-37

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Communication to Examiner.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Customer Number 21364 U.S. Army Research Laboratory		
Signature			
Printed name	Lawrence E. Anderson		
Date	June 16, 2008	Reg. No.	29,503

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Lawrence E. Anderson	Date	June 16, 2008

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**JUN 16 2008**

ARL 00-55D

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : **10/628,424** Confirmation No.: 5300  
Applicant : **Jeffrey A. Read**  
Filed : **07/29/2003**  
TC/A.U. : **1795**  
Examiner : **Rhee, Jane J.**

Docket : **ARL 01-37**

Customer No. : **21364 Office of Command Counsel**  
**U.S. Army Materiel Command**

**For: ELECTROLYTE FOR METAL-OXYGEN BATTERY AND METHOD FOR ITS PREPARATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**VIA FACSIMILE (571) 273-8300**

**COMMUNICATION TO THE EXAMINER**

Sir:

This communication is responsive to the Office Action of June 4, 2008.

In the Office Action dated June 4, 2008, the Examiner rejected claims 13-17 under 35 U.S.C. § 102(e) as being anticipated by Narang, et al. (US6991876). Upon contacting the Examiner, the undersigned was informed that an error had occurred. U.S. Patent No. 6,991,876 to Narang, et al, issued from U.S. Patent Application Publication No. 20040091774 (Narang '774 Publication), which was previously withdrawn as a reference. The Examiner suggested that the matter be addressed by a letter to the Office.

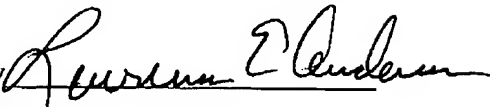
In the Office Action dated August 30, 2006, claims 13-17 were rejected under 35 U.S.C. 102(e) as being anticipated by the Narang '774 Publication. In the Office Action dated April 6, 2007, the rejection of claims 13-17 as being anticipated by the Narang '774 Publication was withdrawn "due to applicant's affidavit filed on 2/28/2007."

If there is anything else that the Examiner requires, please let the Applicant know.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. The Director is hereby authorized to charge any additional fees or underpayments under 37 C.F.R. § 1.16 & 1.17; and credit any overpayments to Deposit Account No. 19-2201 held in the name of U.S. Army Materiel Command.

ARL 00-55D

Respectfully submitted,  
Intellectual Property Counsel  
U.S. Army Research Laboratory

By 

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